

	<b>INDIANA DEPARTMENT OF CHILD SERVICES CHILD WELFARE MANUAL</b>	
	<b>Chapter 4:</b> Assessment	<b>Effective Date:</b> May 1, 2015
	<b>Section 29:</b> Joint Assessments	<b>Version:</b> 3

## **POLICY [REVISED]**

Upon receipt of a report of suspected Child Abuse and/or Neglect (CA/N) the Indiana Department of Child Services (DCS) will contact the Law Enforcement Agency (LEA) in the appropriate jurisdiction to request a joint assessment in certain circumstances.

DCS will request joint assessments with LEA when CA/N allegations include, but are not limited to:

1. **[NEW]** All reports that require a one (1) hour response time;
2. Child fatalities and near fatalities. See separate policy, [4.31 Fatality and Near Fatality Assessments](#);
3. Child sexual abuse. See separate policy, [3.8 Statutory Definition of Child Abuse and/or Neglect \(CA/N\)](#) for legal definition of sexual abuse; and

**Note:** DCS Institutional Child Protection Service (ICPS) Unit may also request joint assessments with LEA for licensed childcare homes, residential childcare centers, or schools (or employees or volunteers of those persons or entities).

4. **[NEW]** All reports of Human Trafficking; see separate policy, [2.21 Human Trafficking](#).

DCS ICPS Unit will **not** conduct an assessment involving an unlicensed registered child care ministry without LEA involvement unless the child care ministry accepts Child Care Development Fund (CCDF).

**[REVISED]** DCS will document efforts to contact LEA for all reports in the Management Gateway for Indiana's Kids (MaGIK). DCS will not be deterred from initiating a CA/N assessment within the necessary time frame due to a delay in LEA response, unless allegations indicate the child's home may be the site of a meth lab or other safety concerns exist for the responding FCM and an interview with the child at an alternate site is not practical. Refer to the [Indiana Drug Endangered Children \(DEC\) Response Protocol](#).

During a criminal investigation of CA/N, DCS will cooperate with the county or district prosecutor and LEA. However, DCS will not act as law enforcement by gathering evidence or interviewing persons for the sole purpose of a criminal investigation. The DCS focus will be on assuring the safety of children.

### Code References

1. [IC 31-9-2-31: "Custodian"](#)
2. [IC 31-33-7-7: Law enforcement agency investigation and communication of information](#)
3. [IC 31-33-8-1: Investigations of child care ministries by the department of child services](#)
4. [IC 31-33-8-2: Investigations by Law enforcement agencies](#)

## PROCEDURE

The Family Case Manager (FCM) will:

1. **[NEW]** Request LEA assistance and document LEA's response to DCS's request in MaGIK.

If LEA is able to respond within the assessment timeframe required by DCS, the FCM will:

1. Make contact with LEA to discuss the allegations and a plan for the interview and other assessment activities; and
2. Cooperate with LEA to complete all steps necessary in a routine CA/N assessment. See separate policy, [4.3 Conducting the Assessment](#).

If LEA is unable to respond within the assessment timeframe required by DCS, the FCM will:

1. Document in MaGIK a request was made to LEA for a joint assessment (date and time of request and to whom it was sent);
2. Proceed with the assessment as required; and
3. Anticipate that LEA may join the DCS assessment at any time during the process.

FCMs will:

1. Stay in regular contact with LEA, including providing copies of all pertinent CA/N assessment files, when LEA and DCS are investigating the same family;
2. Follow local agreements and protocols to resolve any conflicts between DCS and LEA about differing methods of assessment; and
3. Testify at criminal hearings when subpoenaed to do so.

## PRACTICE GUIDANCE

N/A

## FORMS AND TOOLS

N/A

## RELATED INFORMATION

### **Rationale for Joint Assessments**

Teamwork offers several benefits to both the alleged victim(s) and the professionals involved in the assessment. Coordinated responses can reduce the number of interviews a child undergoes. It can minimize the number of personnel involved in the assessment and duplication of efforts. Teamwork can enhance the quality of evidence. A joint assessment can expedite the provision of necessary assistance to the victim and/or family.

### **DCS Participation in Joint Interviews**

When conducting a joint interview with LEA, DCS will participate in the interview (vs. merely observe) to the extent practical given the circumstances.

### **[REVISED] Alleged Perpetrator in Police Custody**

If the alleged perpetrator is in police custody, the FCM must obtain authorization to conduct the interview. This is necessary to ensure that the alleged perpetrator's rights under criminal law

are protected. If the perpetrator's attorney does not allow the interview, or the perpetrator who is not represented by an attorney refuses to be interviewed, the FCM must immediately advise the FCM Supervisor and document thoroughly.